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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,953	04/13/2004	William D. Sigworth	0176-PA-CIP	5455

7590 10/11/2006

CROMPTON CORPORATION  
BENSON ROAD  
MIDDLEBURY, CT 06749

EXAMINER
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ART UNIT	PAPER NUMBER
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DATE MAILED: 10/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notification of Non-Compliant Appeal Brief  
(37 CFR 41.37)**

Application No.

10/823,953

Applicant(s)

SIGWORTH, WILLIAM D.

Examiner

Matthew A. Thexton

Art Unit

1714

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

The Appeal Brief filed on 08 August 2006 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer.  
**EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☒ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☒ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☒ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☐ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner **and relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☒ Other (including any explanation in support of the above items):

See Continuation Sheet.

*M. A. Thexton*

Matthew A. Thexton  
Primary Examiner  
Art Unit: 1714

Continuation of 10. Other (including any explanation in support of the above items):

2. Applicant's submission should be replaced with two sentences indicating the rejected and canceled claims. Discussion/description of the prosecution history is inappropriate.

4. Each independent claim should be identified and its source referenced in the specification. The first paragraph appears to refer to claim 15, and should state it is directed to polypropylene (not polyolefin) and to 1 mmols (not 5) and to the specific coupling agent recited. The second paragraph should refer to claim 1 and any dependent claims separately argued and its/their source in the specification referenced. The third paragraph should refer to claim 14 and refer to 1 mmols (not five). The fourth paragraph should be omitted since there are no claims directed to eight millimoles.

5. Applicant should include the grounds of rejection under 35 USC 112 in section 6.

Other: Applicant's argument in section 7 with respect to the rejection under 35 USC 112, second paragraph is problematic since the "base" polyolefin (page 7, lines 13-15) refers to the functionalized polymer, for which there is no basis for the limitation of claim 7, which appears should refer to said "at least one polypropylene resin."

Other: The headings above the arguments vis a vis the rejections of claim 15 (two rejections) should reference the Wolcott et al reference.